Amendments to the Drawings:

The attached replacement sheet 7/11 includes one change to Figure 7 and this sheet replaces the original sheet including Figure 7.

Figure 7 has been amended to correct a typographical error by replacing reference number 24, which is located between reference numbers 4 and 10, with reference number 20, as was requested in paragraph 4.a. of the Office Action mailed February 5, 2007.

An annotated copy of the amended Figure 7 is attached hereto to show the sole change made to Figure 7.

The attached replacement sheets 10/11 and 11/11 each include one change to Figure 10 and 11, respectively, and these sheets replace the original sheets including Figures 10 and 11.

Figures 10 and 11 each have been amended to correct a typographical error by replacing reference number 34 with reference number 28, as was requested in paragraph 4.b. of the Office Action mailed February 5, 2007.

Annotated copies of the amended Figures 10 and 11 are attached hereto to show the sole change made to each of Figures 10 and 11.

REMARKS/ARGUMENTS

By this amendment, paragraphs [0023], [0024], [0026], [0027], [0028], [0031], [0034], [0036], [0037], [0043] and [0044], as well as page 7, line 5, have been amended to correct minor typographical errors and to improve the clarity of the description, as will be discussed below. It is noted that paragraphs [0024], [0028] and [0034] were previously amended in the Second Preliminary Amendment mailed July 28, 2006 and the previous amendments have been incorporated into the above-noted amendments.

Further, claims 9-11, 17-20, 22, 24, 25 and 27 have been amended, as will be further discussed below. Claims 9-28 remain pending for further examination.

Finally, Figures 7, 10 and 11 have been amended, as will be further discussed below, and replacement sheets for each of these drawings are enclosed herewith.

No new matter has been added by these amendments and further examination and consideration of this application in view of the above-noted amendments is respectfully requested.

Turning to the non-final Office Action mailed February 5, 2007, receipt and acknowledgement of the Applicants' priority claim in paragraph 1 thereof is graciously noted.

In paragraph 2 thereof, objection was made to the listing of references in the specification as not being a proper information disclosure statement. In this regard, it is noted that an IDS with Form PTO/SB/08A was previously filed with the Second Preliminary Amendment mailed July 28, 2006. This Form PTO/SB/08A expressly lists DE 101 26 974 C1, which is discussed in paragraph [0004] of the specification. In addition, US 2002/0024231 was expressly listed in the Form PTO/SB/08A and it was indicated in the IDS that this US (English language) patent publication was being submitted in place of DE 100 32 378, which is discussed in paragraph [0003] of the specification.

Therefore, it is believed that the references in the specification have been properly cited in an IDS and that the references cited in the Form PTO/SB/08A attached to the IDS mailed July 28, 2006 are in a proper form for consideration. As such, it is respectfully requested to return an initialed copy of this Form PTO/SB/08A with the next action.

In paragraph 3 of the Office Action, it was stated that no drawings for the present application were found in the application documents.

In this regard, it is confirmed that the Applicants did not submit drawings with entry into the US national phase on January 12, 2006, because the International Bureau (IB) had already communicated to the PTO a complete copy of the application documents as filed.

The documents communicated by the IB can be found on the PAIR site for the present application under the title "Documents submitted with 371 Applications" dated January 12, 2006 (30 pages). The formal drawings for this International application can be found within this document, and because the original drawings did not include any text, it is not necessary to file a translation thereof.

However, Applicant has submitted a complete set of drawings with this response in accordance with the telephone conference on May 7, 2007 between Examiner Chenevert and the undersigned, Mark Ussai of Michael Best and Friedrich.

In paragraph 4a of the Office Action, Figure 7 was objected to and in paragraph 4b of the Office Action, Figures 10 and 11 were objected to. Corrections to these drawings have been made according to the suggestions of the Examiner and replacement sheets for these three Figures are enclosed with this filing. Therefore, it is believed that these objections have been overcome.

In paragraph 6a of the Office Action, paragraph [0027] was objected to and the correction suggested by the Examiner has been made, thereby overcoming this objection.

In paragraph 6b, paragraph [0036] was objected to, because the Examiner believes that the last sentence of this paragraph is unclear. In response, it is noted that, in one representative embodiment of the present teachings, the latch 30 may be attached to an end of the guide rail 24. During at least the initial downward movement of the roof part 10, the rail piece 32 is preferably latched to the guide rail 24 using latch 30, e.g., until the roof part 10 reaches the position shown in Fig. 9. Then, in order to permit the roof part 10 and guide rail 24 to pivot in the clockwise direction as indicated by Fig. 10, the guide rail 24 is preferably unlatched or released from the rail piece 32. As noted above, if the latch 30 is coupled to the end of the guide rail 24, by pivoting the guide rail 24 in the clockwise direction, the latch 30 would arrive in the vicinity of transverse cross beam 8 as shown in Fig. 10. In this case, the latch 30 may be arranged and constructed to latch the guide rail 24 to the transverse cross beam 8.

Paragraph [0036] has been amended to clarify the possible latching to the transverse cross beam 8.

In view of the above-noted explanation and amendment of paragraph [0036], it is believed that the objection made in paragraph 6a has been overcome.

In paragraph 7 of the Office Action, claims 9-25, 27 and 28 were objected to based upon a list of informalities. All the corrections suggested by the Examiner have been made to the claims substantially as suggested, thereby overcoming these objections.

In addition, it is noted that the incorrect term "traverse" has been replaced with "transverse" throughout the specification in order to improve the clarity of the description.

In paragraph 9 of the Office Action, claims 9 and 17 were rejected under 35 USC 102(a) as being anticipated by Ney et al. (US 5, 056,857).

Claim 9 has been amended to remove the transverse cross beam and the guide device, which are not necessary for distinguishing the invention from Ney et al. In addition, the first and second guide rails for disposal on the respective sides of the vehicle, as well as the two sets of forward and rear guide elements, have been separately recited, thereby improving the clarity of the claim.

In addition, claim 9 now recites that the first forward guide element and the first rear guide element are guided in the first guide rail and the second forward guide element and the second rear guide element are guided in the second guide rail.

To the contrary, Ney et al. teach that the sliding member 96 is guided along a first guide rail 74 and the block 102 is guided along the second guide rail 76. This arrangement is essential to the operation of the device disclosed by Ney et al., as a separate (second) guide rail 76 is necessary to enable the pivoting movement of roof panel 50 about sliding member 96 as well as to house the cable 72.

Thus, it is respectfully submitted that it would not have been obvious to the person of ordinary skill in the art to modify Ney et al. so that first forward and rear guide elements are guided in a first guide rail and second forward and rear guide elements are guided in a second rail, as such a modification would, at minimum, have to significantly change the principle of operation of Ney et al. MPEP 2143.01(V). Consequently, it is believed that the rejection of claim 9 over Ney et al. has been overcome.

As claim 9 is now believed to be in condition for allowance, a separate discussion of dependent claims 10-16 is not necessary.

Claim 17 has also been amended to remove the transverse cross beam and the guide device for the above-noted reason. In addition, claim 17 has been amended to include the feature of claim 24, which was indicated as containing allowable subject matter in paragraph 16 of the Office Action. Therefore, it is believed that claim 17 as well as dependent claims 18-25 are now in a condition for allowance.

In paragraph 12 of the Office Action, claims 16 and 25 were rejected under 35 USC 103(a) as being unpatentable over Ney et al. in view of Ellerback (US 1,784,279). As noted above, this objection has been mooted by the amendments of claims 9 and 17.

In paragraph 13, claim 18 was rejected under 35 USC 103(a) as being unpatentable over Ney et al. in view of Furst et al. (US 5,558,388). In setting forth the basis for this rejection, it was stated that "Furst et al. disclose a convertible roof having foldable longitudinal crossbeams (6a)." (Emphasis added) However, it is noted that claim 18 states that the longitudinal cross beams are "removable." Therefore, in the event that claim 17 is deemed to be unpatentable, reconsideration of the rejection of claim 18 is requested in view of the term "removable."

Finally, the allowability of claim 26 is also graciously acknowledged.

As all objections and rejections made in the outstanding Office Action are believed to have been overcome, an early Notice of Allowance is earnestly solicited.

Respectfully submitted,

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File No. 016382-9012

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Fig.7

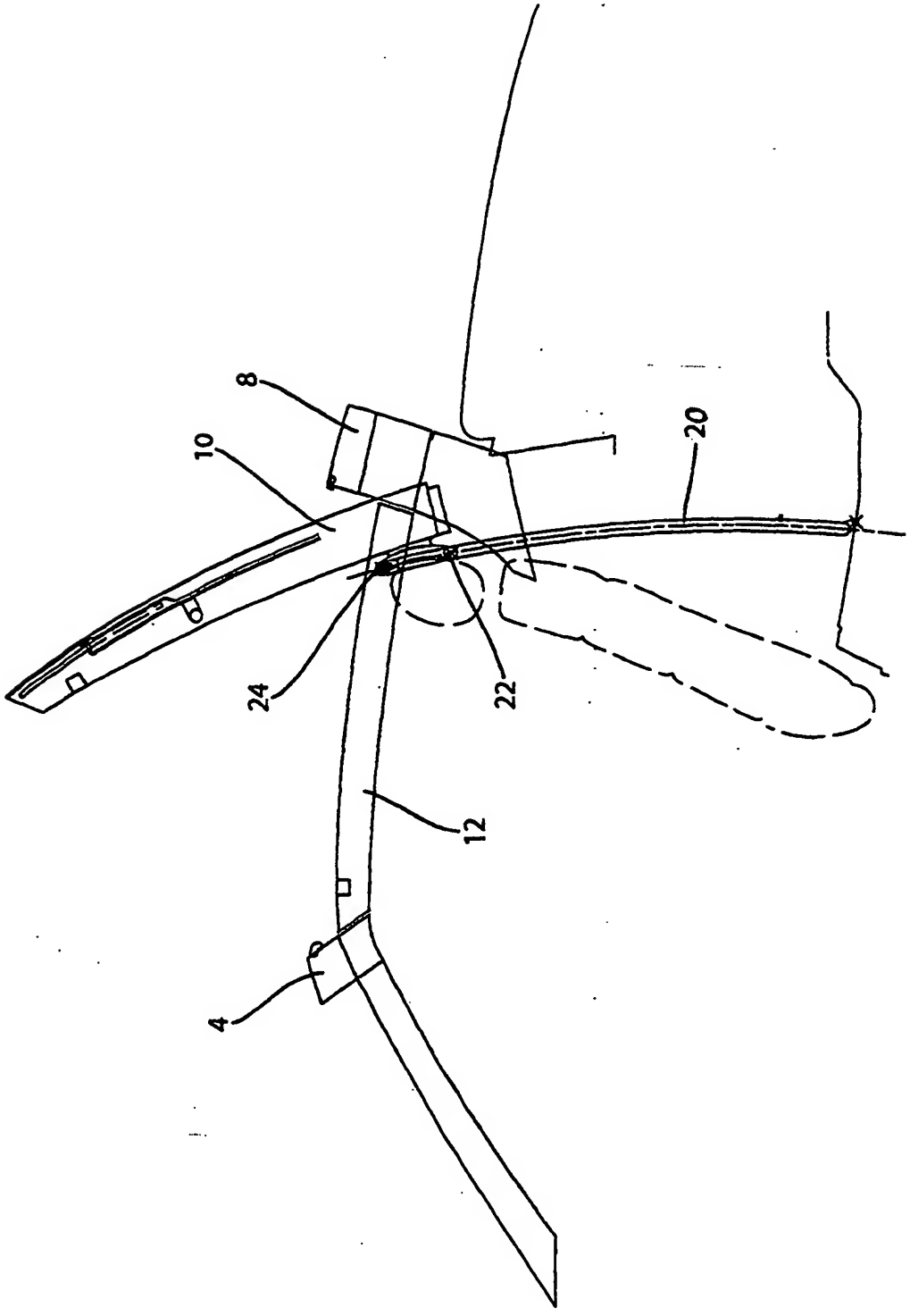


Fig.10

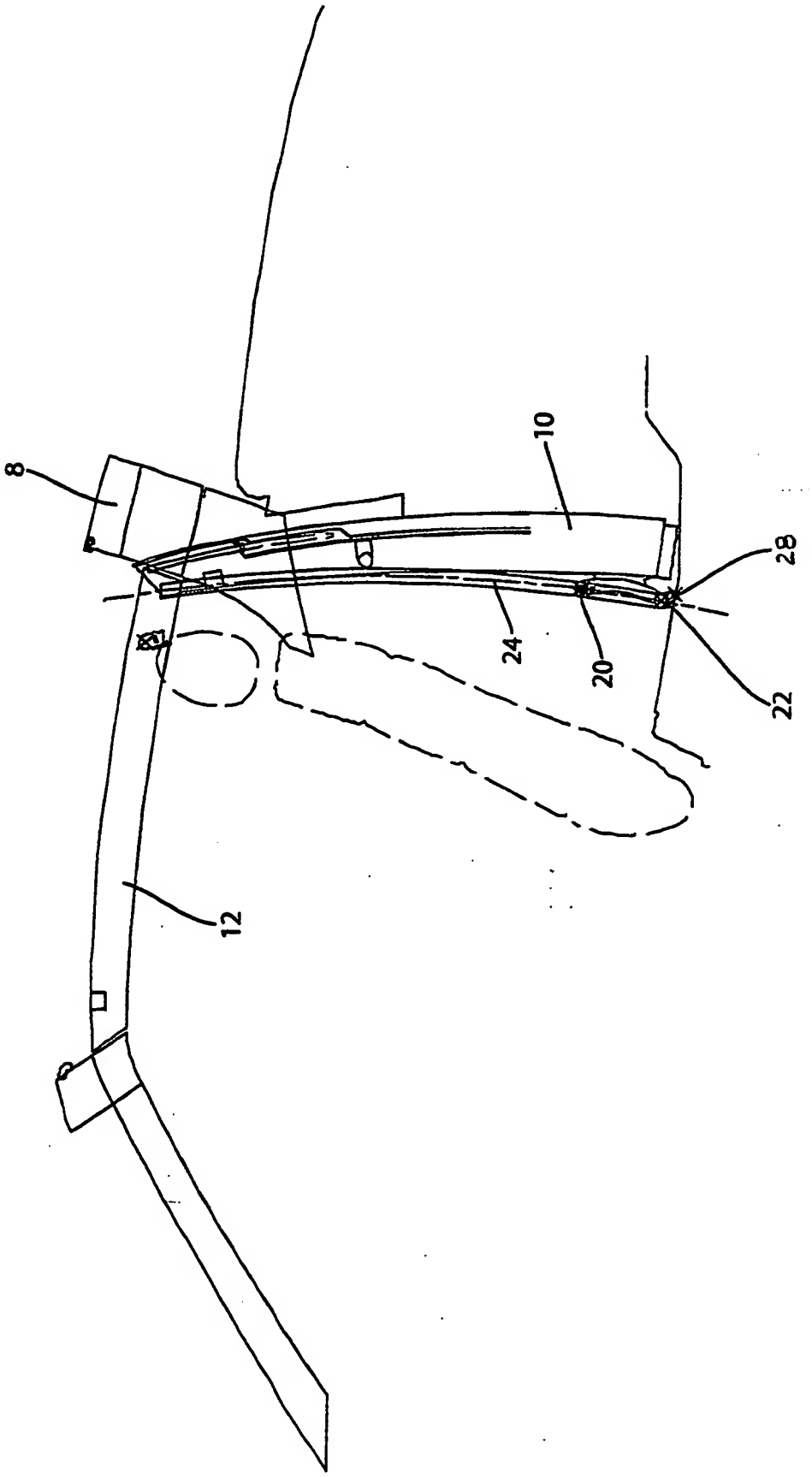


Fig. 11

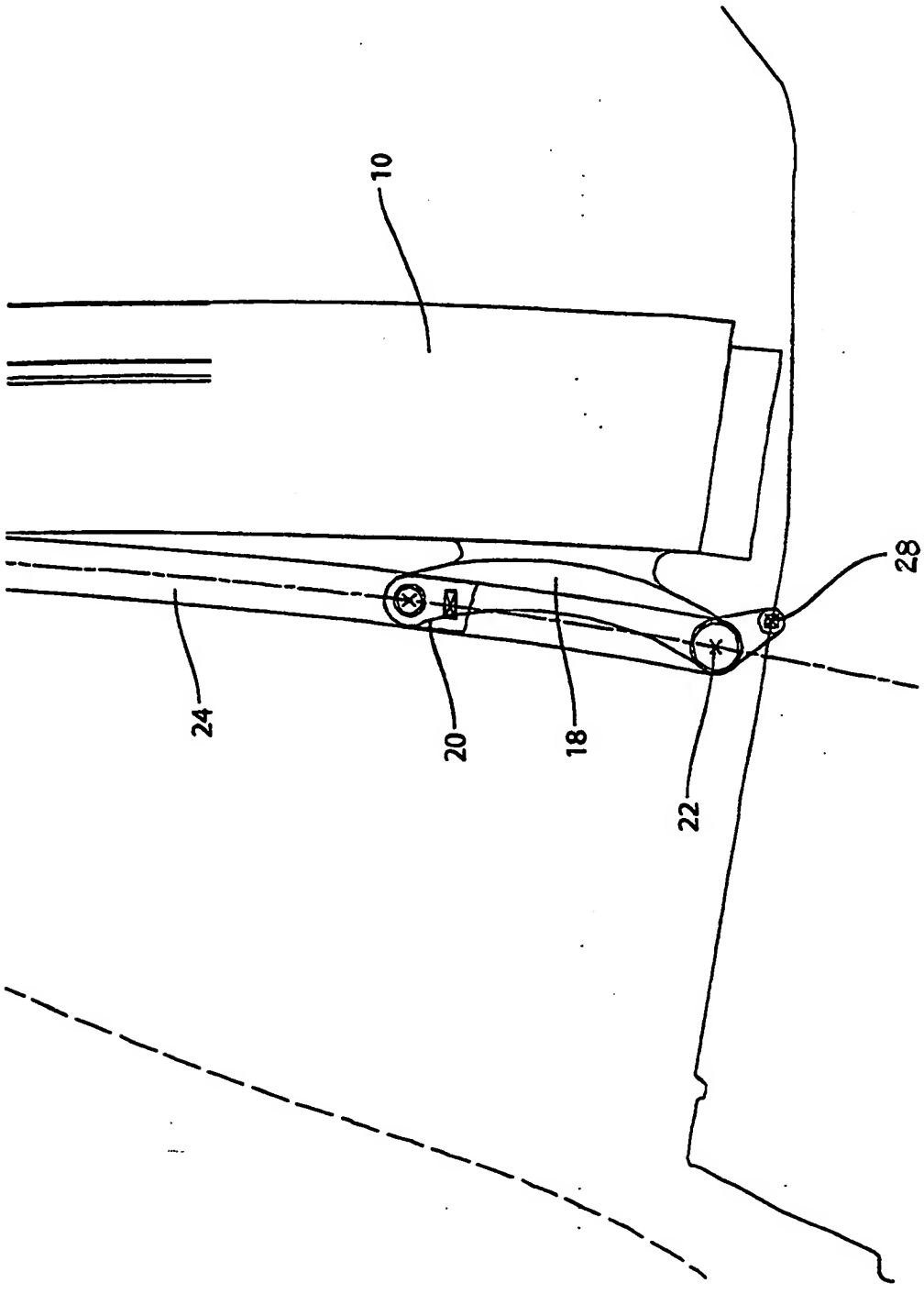


Fig.7

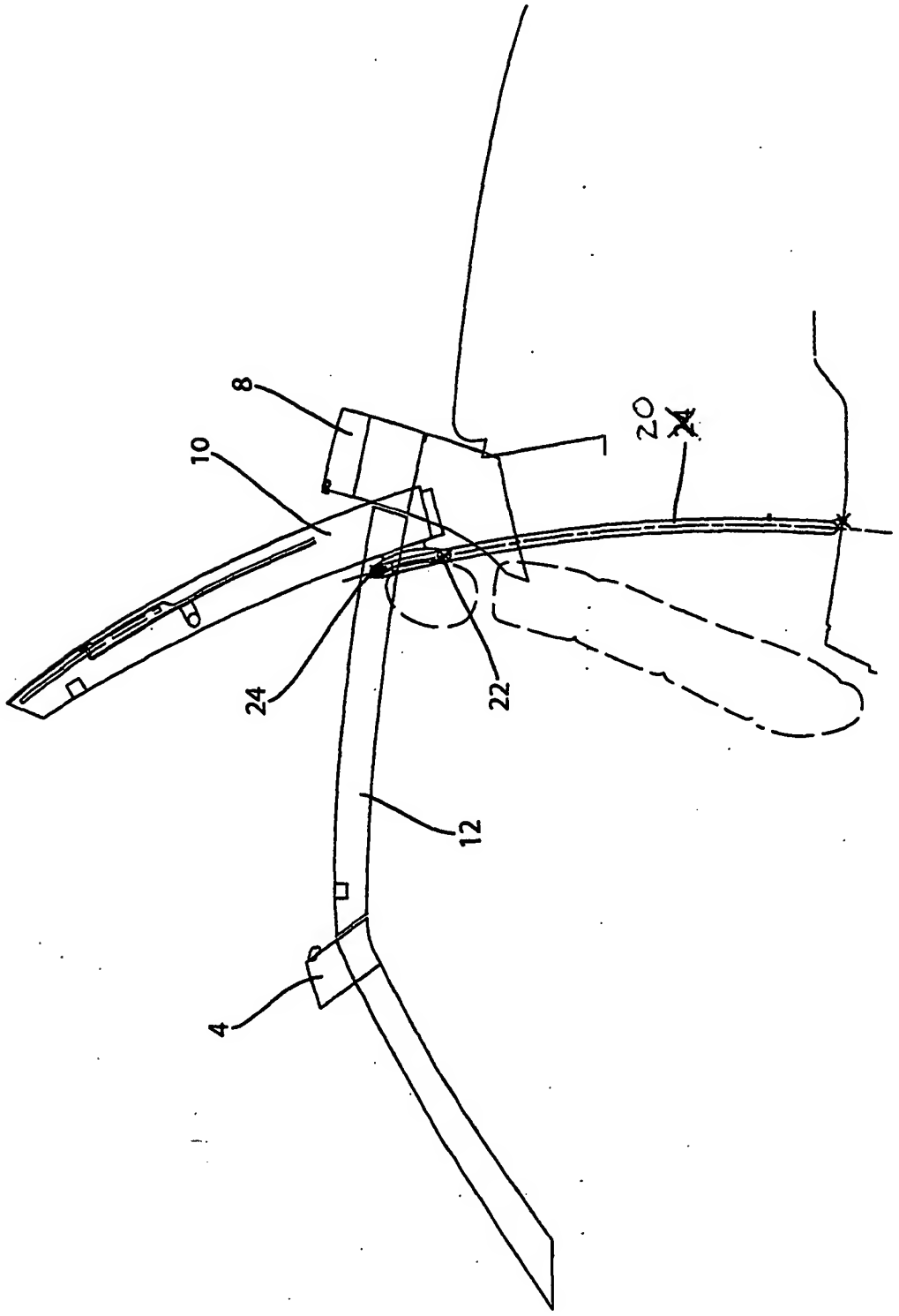
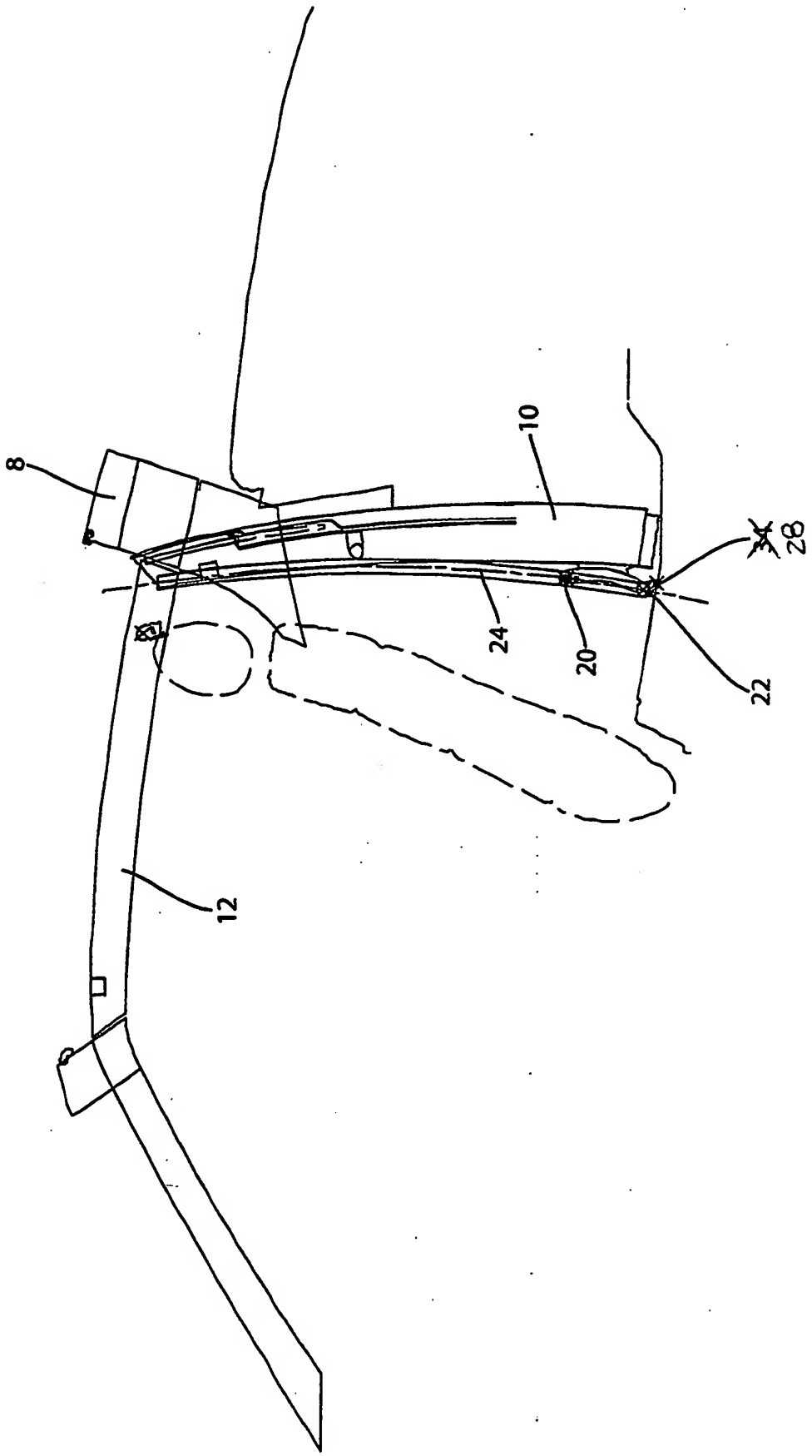


Fig.10



Targa Roof System for a Vehicle and Vehicle
Winfried Bunsmann et al. Docket No. 016382-9012
Annotated Sheet Showing Changes

Fig.11